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8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No.

2012-43

12 **THERESE MORGAN**  
19932 Sweetgum Circle, #12  
13 Germantown, MD 20874  
Registered Nurse License No. 727875

**ACCUSATION**

Respondent.

16 Complainant alleges:

17 **PARTIES**

18 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her  
19 official capacity as the Executive Officer of the Board of Registered Nursing ("Board"),  
20 Department of Consumer Affairs.

21 2. On or about June 11, 2008, the Board issued Registered Nurse License Number  
22 727875 to Therese Morgan ("Respondent"). Respondent's registered nurse license was in full  
23 force and effect at all times relevant to the charges brought herein and will expire on March 31,  
24 2012, unless renewed.

25 **STATUTORY PROVISIONS**

26 3. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that  
27 the Board may discipline any licensee, including a licensee holding a temporary or an inactive

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1 license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing  
2 Practice Act.

3 4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not  
4 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or  
5 to render a decision imposing discipline on the license. Under Code section 2811, subdivision  
6 (b), the Board may renew an expired license at any time within eight years after the expiration.

7 5. Code section 2761 states, in pertinent part:

8 The board may take disciplinary action against a certified or licensed  
9 nurse or deny an application for a certificate or license for any of the following:

10 (a) Unprofessional conduct, which includes, but is not limited to, the  
11 following:

12 . . . .

13 (4) Denial of licensure, revocation, suspension, restriction, or any other  
14 disciplinary action against a health care professional license or certificate by another  
state or territory of the United States, by any other government agency, or by another  
California health care professional licensing board. A certified copy of the decision  
or judgment shall be conclusive evidence of that action . . .

#### 15 **COST RECOVERY**

16 6. Code section 125.3 provides, in pertinent part, that the Board may request the  
17 administrative law judge to direct a licensee found to have committed a violation or violations of  
18 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
19 enforcement of the case.

#### 20 **CAUSE FOR DISCIPLINE**

##### 21 **(Disciplinary Action by the Arizona State Board of Nursing)**

22 7. Respondent is subject to disciplinary action pursuant to Code section 2761,  
23 subdivision (a)(4), on the grounds of unprofessional conduct, in that she was disciplined by the  
24 Arizona Board of Nursing ("Arizona Board"), as follows: On or about November 19, 2008,  
25 pursuant to Order to Revoke Multistate Licensure Privilege in Arizona and Cease and Desist  
26 Order No. 0801087, in the disciplinary proceeding titled "In the Matter of the Privilege to  
27 Practice Nursing Under the Nurse Licensure Compact in the State of Arizona issued to: Therese  
28 Morgan", etc., the Arizona Board revoked Respondent's privilege to practice nursing in the State

1 of Arizona. A true and correct copy of the Order to Revoke Multistate Licensure Privilege in  
2 Arizona and Cease and Desist Order No. 0801087 is attached hereto as Exhibit A and  
3 incorporated herein.

4 **PRAYER**

5 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
6 and that following the hearing, the Board of Registered Nursing issue a decision:

- 7 1. Revoking or suspending Registered Nurse License Number 727875, issued to Therese  
8 Morgan;
- 9 2. Ordering Therese Morgan to pay the Board of Registered Nursing the reasonable  
10 costs of the investigation and enforcement of this case, pursuant to Business and Professions  
11 Code section 125.3;
- 12 3. Taking such other and further action as deemed necessary and proper.

13  
14 DATED:

*July 20, 2011*

*Louise R. Bailey*

15 LOUISE R. BAILEY, M.ED., RN  
16 Executive Officer  
17 Board of Registered Nursing  
18 Department of Consumer Affairs  
19 State of California  
20 Complainant

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**EXHIBIT A**

**Order to Revoke Multistate Licensure Privilege in Arizona  
and Cease and Desist Order No. 0801087**

Janice K. Brewer  
Governor



Joey Ridenour  
Executive Director

## *Arizona State Board of Nursing*

4747 North 7<sup>th</sup> Street, Suite 200  
Phoenix AZ 85014-3655  
Phone (602) 771-7800 Fax (602) 771-7888  
E-Mail: [arizona@azbn.gov](mailto:arizona@azbn.gov)  
Home Page: <http://www.azbn.gov>

### AFFIDAVIT OF CUSTODIAN OF RECORDS

STATE OF ARIZONA

COUNTY OF MARICOPA

I, Joey Ridenour, Executive Director for the Arizona State Board of Nursing, County of Maricopa, State of Arizona, do hereby certify that I am the officer having the legal custody for the records hereto attached in the office of the Arizona State Board of Nursing, County of Maricopa, State of Arizona, a public office of said State. The attached copies are true copies of the records on **THERESE MORGAN**. Personnel of the Arizona State Board of Nursing prepared the records during the ordinary course of business.

Witness my hand and the seal of the Arizona State Board of Nursing  
at 4747 N. 7th Street, Suite 200, Phoenix, Arizona 85014-3655 on  
October 25, 2010.

SEAL

*Joey Ridenour R.N. M.N. F.A.A.N.*

Joey Ridenour, R.N., M.N., F.A.A.N.  
Executive Director

# Arizona State Board of Nursing

Date Printed: 10/25/2010

By: ANNE PARLIN, STAFF

**NAME** THERESE MORGAN

**GENDER:** F **ETHNICITY:**

**PLACE OF BIRTH** CITY: UNKNOWN

**STATE:** UNKNOWN

**MAILING ADDRESS**

575 JEFFERSON STREET  
#13

HUTCHINSON MN 55626

County:

Country:

**HOME PHONE:** N/A

**PAGER:** N/A

**CELL PHONE:** N/A

**BUSINESS PHONE:** N/A

**FAX:** N/A

**E-MAIL:**

**OTHER NAMES**

NAMES USED

REASON

NAMES USED

REASON

<NONE>

**AZ LICENSE/CERTIFICATION INFORMATION:**

**License/Certificate Number:**

**License Type:** COMPACT

**Original Date:**

**License Valid Until:**

**Last Issued Date:**

**Original State of Licensure/Certification:**

**AZ LICENSE STATUS HISTORY**

STATUS

FROM

TO

LAST MODIFIED BY:

Complaint/Self Report

01/09/2008

11/19/2008

DOLORES HURTADO

Under Investigation

11/19/2008

01/19/2009

DOLORES HURTADO

Revocation - Privilege to Practice

01/09/2009

DOLORES HURTADO

**SCHOOL INFORMATION**

NAME

LOCATION

NCLEX CODE DEGREE OBTAINED

GRADUATION DATE

<NO INFORMATION>

**OTHER STATES OF LICENSURE/CERTIFICATION**

LIC/CERT NO

STATE

LIC/CERT TYPE

STATUS

LIC/CERT DATE ORIG STATE

<NONE>

**MOST RECENT APPLICATION INFORMATION**

**Year:**

**Employment Status:**

**Type of Nursing Position:**

**Major Clinical or Teaching Area in Nursing:**

**Principle Field of Employment:**

BEFORE THE ARIZONA STATE BOARD OF NURSING

IN THE MATTER OF THE PRIVILEGE TO )  
PRACTICE NURSING UNDER THE NURSE )  
LICENSURE COMPACT IN THE STATE OF )  
ARIZONA )  
ISSUED TO: )  
THERESE MORGAN )  
RESPONDENT )  
NURSE LICENSE NO.: R167611 )  
STATE OF: MARYLAND )

ORDER TO REVOKE  
MULTISTATE LICENSURE  
PRIVILEGE IN ARIZONA  
AND  
CEASE AND DESIST ORDER  
NO. 0801087

On November 19, 2008, the Arizona State Board of Nursing ("Board") and ("Remote State") considered the multistate licensure privilege of Therese Morgan, ("Privilege Holder") and ("Respondent").

Based on the evidence before it, the Board makes the following Findings of Fact and Conclusions of Law:

**FINDINGS OF FACT**

1. Respondent holds professional nurse licensure, with multistate licensure privileges ("Privilege") under the Nurse Licensure Compact ("Compact"), issued by Maryland, a Compact State.
2. From on or about February 27, 2007 until March 13, 2007 Respondent was employed at Banner Health System in Phoenix, Arizona.
3. On or about March 13, 2007 Respondent was terminated for no call/no show for two days. Respondent informed Board staff she had resigned and was not terminated.
4. From on or about March 2007, until April 2007 Respondent was employed by PPR Healthcare Travel in Jacksonville, Florida.

5. On or about April 12, 2007 Respondent was assigned to work at Correctional Health Services (CHS) and her travel contract was terminated for misconduct. According to the counseling, Respondent had been a problem from the first day and this was the third assignment she had been terminated from.

6. From on or about April 17, 2007 until June 2007 Respondent was employed by Supplemental Health Care in Park City, Utah.

7. On or about April 17, 2007 Respondent was terminated from Banner Thunderbird Hospital for unsuccessful orientation. Respondent told Board staff she had resigned and was not terminated.

8. From on or about May 14, 2007 until June 27, 2007, Respondent was assigned by Supplemental Health Care to work at Boswell Hospital in Sun City, Arizona.

9. On or about June 25, 2007 Respondent called a physician because the patient could not void after Respondent removed the foley catheter. The physician informed Respondent to follow his written orders which were to catheterize the patient if the patient was unable to void. The next morning when the physician visited the patient, she was crying and told him "Respondent hates me." The patient was afraid to ask Respondent for any assistance. The physician requested that Respondent not care for his patient. A second physician found his patients dressing saturated. The patient had a drain and the doctor asked why no nurse had checked the patient for drainage.

10. From on or about September 12, 2007 until December 13, 2007 Respondent was employed at Mountain Vista Medical Center in Mesa, Arizona.

11. On or about November 21, 2007 Respondent was informed she should have no further contact with a particular patient. Darron Bock and Cyndy Crownover supervisory staff



went to the Gero-psych unit to speak with Respondent. On approaching her desk Respondent held up a sign that read "subtle racism stops with me." Crownover said when patients had problems with the nurse, the best thing to do was to reassign the patient. Morgan was issued a Notice of Corrective Action on or about November 21, 2007 which included the following:

- Informed by Sue Davidson Interim Director not to assume the care of a particular patient due to complaint from the patient and family. Respondent defied the request and assigned herself to the patient the following day. When asked to change the assignment by the house supervisor, Respondent told her she could take care of the patient herself.
- Final counseling stating Respondent must accept and agree to changes in order to continue her employment.

12. On or about December 13, 2007 Respondent was counseled regarding the care of patient J. B. According to the counseling J. B. was on a cell phone speaking with her son M. B. Respondent took the cell phone and told J.B. that cell phones were not allowed in the facility. Respondent spoke with M. B., on the cell phone. Respondent told M. B. he was lying to his mother J.B. and that J.B. did not need to be in an independent living environment and Respondent hung up. According to M.B., J.B. had a diagnosis of Borderline Personality Disorder (BPD) and he was making arrangements for long term placement for J.B. M.B. believes Respondent caused J.B. irreversible damage. M. B. was informed by Respondents' supervisors that she would not be assigned to care for J.B. again.

13. On or about December 13, 2007 Respondent was terminated from Mountain Vista Medical Center for unsuccessful performance.

14. On November 19, 2008 the Board voted and ordered Respondent's privilege to practice nursing in Arizona under the Compact rules and statutes **revoked**. The Board further ordered Respondent to cease and desist the practice of nursing in Arizona.

#### **CONCLUSIONS OF LAW**

Based on the above Findings of Fact, the Board has cause to revoke Respondent's privilege under the Nurse Licensure Compact to practice nursing in the State of Arizona, under A.R.S. § 32-1663 (E); A.R.S. §32-1668 Article (II) (H), Article (III)(B), and Article (V) (C) of the Compact as set forth for unprofessional conduct as defined in A.R.S. § 32-1601 (16) (d) and (j) and A.A.C. R4-19-403 (B) (1), (2), (9), and (31); (adopted effective November 13, 2005).

#### **ORDER**

IT IS ORDERED that Respondent's privilege to practice nursing in the State of Arizona is hereby REVOKED.

IT IS FURTHER ORDERED that Respondent shall immediately cease and desist the practice of nursing in the State of Arizona and is not eligible to practice nursing in Arizona under the privilege of any Compact state without prior approval from the Arizona Board of Nursing.

PURSUANT TO A.R.S. §41-1092.03, any person aggrieved by this Order may apply to the Board, in writing, within thirty days of receipt of this Order and request a public hearing with respect to this Order. If you request a public hearing with respect to this Order, you also have the right to request an informal settlement conference by filing a written request with the Board, pursuant to A.R.S. § 41-1092.06, no later than 20 days before the schedule hearing. The

conference will be held within 15 days after the receipt of your request. Please note that you waive any right to object to the participation of the Board's representative in the final administrative decision of the matter if it is not settled at the conference. For answers to questions regarding the appeals process, contact Susan Barber at (602) 889-5161.

SEAL

ARIZONA STATE BOARD OF NURSING

*Joey Ridenour R.N. M.N. F.A.A.N.*

Joey Ridenour, R.N., M.N., F.A.A.N.  
Executive Director

Dated: November 19, 2008

JR/SRT:ts

COPY mailed this 4<sup>th</sup> day of December, 2008, by First Class Mail and by Certified Mail Receipt No. 70030500000358144853, to:

Therese Morgan  
575 Jefferson Street #13  
Hutchinson, MN 55626

AND

COPY mailed this 4<sup>th</sup> day of December, 2008, by First Class Mail and by Certified Mail Receipt No. 70030500000358144860, to:

Therese Morgan  
600 Arbor Terrace Drive, #203  
Frederick, MD 21703

By: Trina Smith  
Legal Secretary